

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DANTE H. PATTISON,

Plaintiff,

v.

BRIAN SANDOVAL, *et al.*,

Defendants.

Case No. 3:20-cv-00287-MMD-WGC

ORDER

Pro se Plaintiff Dante Pattison filed a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 7.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge William G. Cobb (ECF No. 78), recommending that Pattison’s motion (ECF No. 75) for an extension of time to substitute Dr. Mardelle Peterson’s personal representative as real party at interest be denied, and that Dr. Peterson be dismissed without prejudice. Pattison had until December 2, 2021, to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts Judge Cobb’s R&R and will dismiss this action.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

1 Because there is no objection, the Court need not conduct *de novo* review, and is
2 satisfied Judge Cobb did not clearly err. Here, Judge Cobb recommends Pattison's
3 motion be denied because no one has been able to identify a proper legal representative
4 for Dr. Peterson and the Court's resources are better spent addressing the issues that
5 remain in this action. (ECF No. 78 at 2-4.) The Court agrees with Judge Cobb. Having
6 reviewed the R&R and the record in this case, the Court will adopt the R&R in full.


7 It is therefore ordered that Judge Cobb's Report and Recommendation (ECF No.
8 78) is accepted and adopted in full.

9 It is further ordered that Plaintiff Dante Pattison's motion for extension of time to
10 substitute (ECF No. 75) is denied.

11 It is further ordered that Dr. Peterson is dismissed without prejudice from this case.

12 DATED THIS 7th Day of December 2021.

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MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE